



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

February 15, 2022

BY ECF

Hon. Eric R. Komitee
United States District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Sabino v. Ogle, 20-CV-5861 (EK) (JRC)

Dear Judge Komitee:

This Office represents Defendant in this case, retired Senior Parole Officer James Ogle of the New York State Department of Corrections and Community Supervision (“DOCCS”). At the pre-motion conference on February 9, 2022, the Court ordered that Defendant file this letter and submit the notification informing the New York City Department of Correction (“City DOC”) that the parole warrant was vacated, describe the mechanism for delivering that letter, and, to the best of Defendant’s ability, identify whether there were any other causes of Plaintiff’s detention in the summer of 2019. The Court further ordered Defendant to mail and hand-deliver a copy of all pre-motion filings and orders to Plaintiff by February 16, 2022. Copies of Docket Nos. 13, 14, 16, and 18¹ will accordingly be sent to Plaintiff along with this letter and its enclosures by U.S. Mail and hand delivery.

Enclosed is a copy of the standard letter that DOCCS sends to City DOC whenever a preliminary parole revocation hearing is completed. It states that no probable cause was found at Plaintiff’s preliminary parole revocation hearing on June 19, 2019, and that the parole warrant had been “lifted” i.e., vacated. That letter is dated June 19, 2019. On information and belief, based on discussion with DOCCS employees, that letter is normally sent via e-mail. Regarding the possibility of alternative causes of detention in the summer of 2019, Defendant has inquired with City DOC, but has received nothing responsive to that question as of this date.² There were no other State DOCCS holds. Defendant reserves the right to update this if further information is subsequently discovered.

Respectfully submitted,
/s/ David T. Cheng
David T. Cheng
Assistant Attorney General
David.Cheng@ag.ny.gov

¹ Docket Nos. 15 and 17 are not included because they are Plaintiff’s own filings.

² City DOC provided Plaintiff’s movement history in response, but that fails to answer the question asked. Followup clarifying what was needed has received no response as of yet.

Enclosures

cc: Saul Sabino (via U.S. Mail and hand delivery)
B&C 349-21-01344
Anna M. Kross Center
18-18 Hazen Street
East Elmhurst, NY 11370
Plaintiff pro se

TO: NEW YORK CITY DEPARTMENT OF CORRECTIONS
FROM: PAROLE VIOLATION UNIT
RE: RESULTS OF PAROLE REVOCATION HEARING

* * * * *

HEARING DATE: 06/19/2019
HEARING LOCATION: RIKERS ISLAND

NAME: SABINO, SAUL
WARRANT: 0803096
NYSID: 01052307M
B & C: 141-19-03106
PO: HIBBERT, TAMEKA

OUTSIDE DATE: 06/19/19

* * * * *

PLEASE TAKE NOTE THAT THE PRELIMINARY PAROLE REVOCATION HEARING LISTED ABOVE
HAS RESULTED IN ONE OF THE FOLLOWING:

- ☐ PROBABLE CAUSE FOUND
☒ PROBABLE CAUSE NOT FOUND; WARRANT LIFTED
☐ CASE ADJOURNED TO _____
☐ WAIVED HEARING ON RECORD

* * * * *

NOTICE TO ATTORNEY OF ADJOURNMENT DATE:

- ☐ HAND DELIVERED ON _____
☐ MAILED ON _____

NOTICE TO PAROLEE OF ADJOURNMENT DATE:

- ☐ HAND DELIVERED ON _____
☐ MAILED ON _____

* * * * *

SIGNATURE: *P.O. Felt* TITLE: PO #202
DATE: 6/19/19

* * *LAST PAGE* * *